

prior to the discussion from other persons.

DELEGATE SAM MOORE: Thank you, Mr. President.

PRESIDENT CASSELL: Okay. Mr. Marcus.

DELEGATE CORN: And then will you call on me again, Mr. President?

DELEGATE SHELTON: You are out of order.

DELEGATE MARCUS: While I understand the intention of Delegate Harris' addition of the word "liberty," I would like to point out a couple of things.

In the first place, the entire Preamble is focused on the notion of providing as few restraints and making possible as broad an application of the availability of rights to each individual person in the society collectively.

I might also point out that the word "freedom" as used in line 9 speaks directly to the individual in the community. "Freedom," by the way, is the more encompassing term, according to the dictionary and I will, in fact, be glad to read the definition to the Delegates if you wish me to, than the word "liberty."

Furthermore, I believe -- and I think that the Committee had a strong discussion regarding the use of the word "liberty" in there and felt that the word "liberty" really added not only nothing to the body of the Preamble but in fact

made it less artful, more wordy, more confusing, less appropriate and began to be redundant, in fact.

Therefore, I have to say that the Committee at this time, unless we in caucus decided that that particular word was appropriate, would have to stand opposed to the use of the word "liberty" and opposed to this particular amendment.

I would be glad to read those definitions if the body decides they wish it.

PRESIDENT CASSELL: Delegate Corn. Delegate Oulahan and -- point of order?

[Speaker objects to not having been called on.]

PRESIDENT CASSELL: I had already called on Delegate Corn. I had asked Delegate Corn to withhold.

DELEGATE CORN: Okay, I move a substitute motion that the first two lines which are here --

[Tremendous racket in courtyard in addition to considerable conversation in convention room.]

What is going on here? It is so noisy?

Okay, I move a substitute for lines 4 and 5 which currently read, "We, the people of the free and sovereign state of blank seek to secure and provide for each person health, safety --"

PRESIDENT CASSELL: Delegate Corn, I don't think

you are speaking to the amendment.

DELEGATE CORN: Okay. I want to move in a substitute.

PRESIDENT CASSELL: Well, she is not moving a substitute to this amendment, though.

DELEGATE CORN: Yes.

PRESIDENT CASSELL: She is talking about lines 4 and 5.

DELEGATE CORN: That is the first two lines of it. I am substituting the following, "We, the people of the free and --"

DELEGATE MARCUS: Point of order.

PRESIDENT CASSELL: Hold on, please, Delegate Corn.

DELEGATE MARCUS: I do not believe this is germane and substantive. It is not speaking to the substantive motion made by Delegate Harris. I believe it is out of order.

PRESIDENT CASSELL: Let me hear that again.

DELEGATE CORN: "We, the free people of the State of Blank, in order to govern ourselves democratically as a state of the United States of America under the Constitution of the United States, seek to --"

PRESIDENT CASSELL: This is not germane to the motion on the floor. The motion on the floor is to add the

word "liberty" at a specific point. Now, you either oppose that or you --

DELEGATE CORN: No, I am for that but I would like to change the words around it.

[Several voices -- side comments.]

PRESIDENT CASSELL: All right, further discussion on the motion. Delegate Oulahan. Then Shelton.

DELEGATE OULAHAN: Mr. Chairman, I have a substitute to the preamble itself. I would ask that my name be taken up after Delegate Harris' amendment has been dealt with because my substitute covers the whole section.

PRESIDENT CASSELL: Thank you. Delegate Shelton.

DELEGATE SHELTON: My point has been satisfied.

PRESIDENT CASSELL: Delegate Robinson.

DELEGATE ROBINSON: Samuel Robinson, Ward 5.

I would like to propose an amendment to line 4.

SEVERAL VOICES: You are out of order.

PRESIDENT CASSELL: Delegate Robinson, I think we have a problem. Let us remember what the amendment is, now. The original motion was to adopt the report as read, okay?

Delegate Harris moved and was seconded to amend the report by adding to a specific line one particular word for a specific purpose. And what she is asking is that we include

among health, safety and welfare, liberty.

DELEGATE ROBINSON: Right.

PRESIDENT CASSELL: Okay. Now, is there something else you would like to add? This is not the time for another motion that is not affected by this one. You want to speak to her motion.

DELEGATE ROBINSON: Well, I will have to wait, then, until her motion has been acted upon by the Delegates?

PRESIDENT CASSELL: Certainly, unless you want to amend it again.

DELEGATE CORN: Mr. Chairman, point of order, I have to wait also until her amendment is acted upon to present mine?

PRESIDENT CASSELL: Delegate Garner.

DELEGATE GARNER: Thank you, Mr. Chair --
Mr. President. I rise to support the motion by Delegate Harris. I hope that the committee will take the proposal by Delegate Harris as a helpful addition and not let their pride of authorship overwhelm this consideration.

I believe that it is appropriately placed in line 5 and the language that is proposed by the committee "can maximize our individual freedom" is not the best way to state the objective I believe we all support and I hope that this

Convention will support the addition of the word liberty in line 5. Thank you.

PRESIDENT CASSELL: Okay. Delegate Marcus.

DELEGATE MARCUS: I do find it necessary to read into the record a definition of the word "freedom," so that people are clear about the inclusiveness of that particular word.

SEVERAL VOICES: Read the word "liberty."

DELEGATE MARCUS: Okay. The word "freedom" is used in line 9, right? It refers specifically to the "condition of being free from restraints. Liberty of a person from slavery, oppression, or incarceration, political independence, possession of civil rights, immunity from arbitrary exercise of authority, exception from unpleasant or onerous conditions."

"Liberty" as defined by the New Collegiate Dictionary of Webster's, is defined as the condition of being not subject to restriction or control, the right of acting in a manner of one's choosing, the state of not being confined in servitude, permission to do certain things with privilege. The fact is that "freedom" as used in here is inclusive of the word "liberty."

And "freedom" speaks specifically to the political nature of the development of the political state, so I see nothing -- I see no benefit for us to add that particular

piece.

Now, we are not arguing from a position of pride of authorship and certainly, the word "liberty" in this particular amendment is not onerous to the committee, but I just feel and I think the committee would agree that it adds nothing and simply makes the body more wordy.

PRESIDENT CASSELL: Delegate Harris and then Delegate Baldwin.

DELEGATE HARRIS: I would like to speak to Delegate Marcus' reading of the definition of "freedom," which does not really address the amendment.

You state in the preamble that you maximize the individual freedom but you do not state in the preamble that the liberty or whatever is secure, is provided. So therefore, your definition just defines what you have written here in terms of what individual freedom means and in light of that definition, you might want to change that.

I am saying secure and provides liberty for the people.

DELEGATE BALDWIN: Mr. President, I rise to speak against the motion. I speak against the amendment. If the word "liberty" belongs at all, it would be on line 6 after "Justice, liberty and equality." One has only to read line 5

and see that liberty does not relate to health, safety and welfare and in fact would be out of order.

PRESIDENT CASSELL: All right, further discussion?

The motion is to amend the line 5 by inserting "liberty" after "person."

DELEGATE JACKSON: Mr. Chairman, I call the question.

SEVERAL VOICES: Second.

[The question is called and seconded.]

PRESIDENT CASSELL: Those in favor of the amendment signify by saying aye.

[There is a chorus of ayes.]

PRESIDENT CASSELL: Those opposed.

[There is a larger chorus of nays.]

PRESIDENT CASSELL: Those abstaining.

[The motion fails.]

PRESIDENT CASSELL: Okay, the motion loses.

Further amendments.

DELEGATE CORN: Further amendments.

PRESIDENT CASSELL: Mr. OULAHAN.

DELEGATE OULAHAN: Mr. President, Chairman Moore and members of the committee, I rise to propose a substitute to the preamble which I believe will effect the purposes which

they have sought and answer some of the questions which our Counsel and I and others have had.

You have a copy of the preamble substitute in front of you.

Mr. Chairman, I don't mean to take a lot of time but shall I read it?

PRESIDENT CASSELL: Thirteen lines? Yes.

DELEGATE OULAHAN: I will read it very fast.

PRESIDENT CASSELL: All right.

DELEGATE OULAHAN: It was placed in the boxes tonight.

"We, the people of the State of _____, in order to govern ourselves democratically as a State of the United States of America under its Constitution, to promote the public health, safety and welfare and a peaceful and orderly life for all, secure the blessings of liberty and justice for ourselves and our posterity and recognizing our unique historical role as the nation's capital, the diversity and pluralism of our people, and our desire to reach out to all democratically-minded peoples of the world in a spirit of peace and friendship, do ourdain and establish this Constitution of the State of _____."

SEVERAL VOICES: Point of order. Point of inquiry.

PRESIDENT CASSELL: Before you make your point of inquiry, let me indicate that there is no provision in our Rules for substitute motions. You can only amend a report. You can amend only.

DELEGATE SCHRAG: Point of order.

PRESIDENT CASSELL: Yes, yes.

DELEGATE SCHRAG: The Rules provide -- Roberts Rules that fill in where ours fail to provide -- and Roberts Rules provide for substitutes.

In addition, substitutes are a form of amendment to the Roberts Rules and therefore whenever amendments are appropriate, substitutes are appropriate.

DELEGATE BALDWIN: Rule 3.2, Minority Rules, Section D. "The minority proposal may then be offered on the floor as an amendment to or substitution for the committee proposal. On a Minority Committee Report, a Minority Report can be interpreted as a substitute report."

The Chair is right in saying that you can call it an amendment and you will get the same thing, an amended proposal.

DELEGATE OULAHAN: This is not a minority report.

DELEGATE SCHRAG: I know it is not, but you should deal with it as an amended proposal. That is what I am saying.

PRESIDENT CASSELL: Point of order, Delegate Simmons?

DELEGATE SIMMONS: Yes. Mr. President, an inquiry through the President to the Delegate. First of all, the text which was read is different from what we have in our hand -- or maybe mine needs up-dating.

Secondly, if, indeed, this is an amendment, then I would like for the [overridden by side conversations] to either and then for the maker of this amendment to read it and tell us where the deviations are so that we can include it on what we have before us.

DELEGATE OULAHAN: Mr. Chairman, I made some slight amendments which I listed here, as I listened to the statements here tonight and particularly the statements of our Counsel. There are only three or four words changed from what was submitted and I placed in the boxes. I apologize if you did not catch that, but that is the only reason for the changes in words.

DELEGATE CROFT: Mr. Chairman, point of order.

PRESIDENT CASSELL: Let's hear the next point of order.

DELEGATE CROFT: As I understand it, the rules require that it be circulated to the members.

SEVERAL VOICES: Not the first reading.

DELEGATE OULAHAN: I just read the motion --

PRESIDENT CASSELL: Point of information.

DELEGATE HARRIS: Yes, I am wondering if we could have those slight changes?

DELEGATE OULAHAN: I would be very glad to do that. [Explains deviations as in this transcript from his document.]

PRESIDENT CASSELL: Well, we understand that technically speaking, we could rule that out of order. People are hearing this for the first time.

In other words, they have got to listen to your change, write it down and cogitate over it.

Since this really does not change the sense of this motion -- it is an improvement of the wording that is not radical, I am going to allow it but let us be mindful of the fact that what whatever it is that we submit to the Delegates, then it should not be something that is changed on the Floor.

All right, there is a motion on the Floor to amend your Report, as read by Delegate Oulahan.

[There is a second.]

It has been seconded. It is now time for discussion. The Committee has the first opportunity to respond.

Delegate Moore.

DELEGATE SAM MOORE: Mr. President and Delegates, I would like to point out that according to the procedure established by the District of Columbia's Constitutional Convention that you appointed a committee that has the responsibility of Preamble and Rights.

There are nine members on this Committee. This Committee has followed to the letter the will of this body.

In our deliberations, we reviewed 50 State Constitutions and the Constitution of the United States of America, as well as a model Constitution to bring ourselves to a clear understanding about the provisions of a preamble.

The Committee, in its work, drew up concepts out of these preambles from the 50 constitutions and the Constitution of the United States and the model Constitution and then delineated those concepts into a formulation of a draft.

The Committee felt that it was wise to use a dictionary and look up every important word that it wrote and draw up in its history of our work substantiations for its actions.

I note here tonight that the questions asked by various Delegates have been skillfully and artfully answered by the persons who were designated by the Chair for the

Committee to handle the assignment.

It is noble on the part of any Delegate to think for him or herself but I have a serious reservation about the Convention accepting the work a self-appointed committee to work for it.

I have a serious reservation about any Delegate who undertakes to become a committee and report to the Convention without commentary from any other Delegate on a serious matter of this proportion.

[VOICE: Amen.]

However eloquent, however well-meaning, however astute may be the intention --

[VOICE: All right.]

-- of that person who so desires to step forward and make a presentation. I do not believe that it reaches the apex of what a Convention Committee can do.

[Applause. Expressions of agreement.]

It had not been my purpose to speak here tonight for I believe in distributing the work among those who are yoked to shoulder the responsibility. But when this type of encouragement tends to erode the fundamental principles upon which we have based ourselves, I feel compelled to speak.

And therefore, tonight, I urge upon the Delegates

to vote no to this substitute for the substitute would embarrass the committee and it would leave the Convention undistinguished if it was passed.

I honor Courts Oulahan as a friend. I honor him as a lawyer. I honor him as a Delegate. But I do not believe that that which he recommends takes precedence over the long, weary hours --

VOICE: Yeah!

[Laughter and applause.]

-- that this Committee has spent.

[Cheers and applause.]

Therefore, as Chairman of this Committee, I stand for the eight members who have shouldered the burden with me in the heat of the day and ask you to turn back this proposed amendment.

Thank you.

[Rousing applause, cheers, whistles, shouts.]

PRESIDENT CASSELL: Does the motion need to be restated?

Any further discussion on the amended motion?

All right. Delegate Moore, then Delegate Holmes, then Rothschild.

DELEGATE BRYAN MOORE: I just would like to speak

for the record that I would support the right of any Delegate in this body to propose any idea anywhere at any time. This is a democracy and we are members of a democracy and if we dare to stymie the right of the individual to express himself --

PRESIDENT CASSELL: Delegate Moore -- Delegate Moore --

DELEGATE BRYAN MOORE: Yes, sir?

PRESIDENT CASSELL: You are not speaking to the motion.

DELEGATE BRYAN MOORE: I know I am not.

PRESIDENT CASSELL: You know. All right. So I have to rule you out of order.

Charlotte Holmes.

DELEGATE CORN: Point of order, Mr. Chairman.

PRESIDENT CASSELL: Point of order.

DELEGATE CORN: Point of order. Under the Rules of this Convention, when the Chair gets up to defend a committee proposal, it is not to give an oration for the work and the well-meaning of the --

PRESIDENT CASSELL: You are out of order, Delegate Corn.

DELEGATE CORN: No, sir, I am not. It is to defend that committee proposal. That is all.

PRESIDENT CASSELL: Please sit down.

Delegate Holmes.

DELEGATE CORN: No, he went far beyond defending the proposal.

SEVERAL VOICES: Sit down.

DELEGATE CORN: It was an oration to the greatness of that committee and --

[The Delegate is shouted down by fellow Delegates.]

PRESIDENT CASSELL: Delegate Corn, you are out of order.

VOICE: Please sit down.

[Delegate Corn complies, to applause.]

DELEGATE HOLMES: Being the only woman on the committee, I want to say that we worked very hard and not only did we work hard but when I asked a question about "like-minded" of Delegate Oulahan -- when you say "like-minded" and you changed it to "Democratically," that meant only part of the Washington, D.C. area. It did not mean all of the people. Okay?

So I am voting against it, although he changed it to Democratically.

I think you ought to know the meaning of some of these things when they are put before us and I asked a couple

of questions on something else on here.

Now, I feel that we researched these. We did establish them. And when we first started out, our first assignment was, bring the dictionary and know what you are talking about and know how to speak and defend the Constitution or the Preamble that we are writing.

So I would like to say that I appreciate working with the Chairman, Reverend Moore. I appreciate working with him and the other seven men and I think we did a beautiful job.

But if all committees are going to be like this report committee and we can't even trust the people, the other nine folk on each one of these committees, then we have did a disjustice to ourselves at being Delegates from Wards.

Thank you.

PRESIDENT CASSELL: Delegate Rothschild.

DELEGATE CORN: No, that was a point of order. I want to speak to the motion.

SPEAKER: I am going to call 911 if you speak again.

[Laughter and applause.]

PRESIDENT CASSELL: Delegate Corn, please.

Delegate Rothschild, on the amendment, please.

DELEGATE ROTHCHILD: Yes. I would like to support the amendment and I'll tell you why. I am on the Committee.

I chose not to make a Minority Report because I thought the Committee should present what it has got to present. I am going to present an amendment myself. But it is to the amendment that Delegate Oulahan has presented.

I find that it is better-worded, the flow of ideas seems much more concise and it does not open us up to vagaries such as "economic equality."

Now, economic equality in the original one, in the Committee one, it is there but we cannot decide economic equality.

DELEGATE MARCUS: Mr. President, he is not speaking to the amendment. He is speaking to the previous proposal on the Floor.

DELEGATE ROTHSCHILD: Well, I am speaking --

PRESIDENT CASSELL: You are correct.

Can you speak directly to the motion? First of all, you are in support of the motion?

DELEGATE ROTHCHILD: Yes, I am in support of the motion.

PRESIDENT CASSELL: Okay, if you could give your reasons for support of the motion, then we could move on.

DELEGATE ROTHSCHILD: Okay. Essentially, I like the idea that the proposed substitute or amendment speaks to

the United States . I think we have to be realistic that we are becoming part of the United States and I would like to think that we attribute our being to something higher and the United States is what is giving us the ability to establish ourselves.

Essentially, I just like it better. I just think it reads better. If you read it, it just reads better.

PRESIDENT CASSELL: Okay, we have had four, two for and two against. I would like to call the question.

DELEGATE CORN: Under the rules, the mover may speak last.

DELEGATE OULAHAN: Being the butt of laughter does not bother me. For the record, being the butt of laughter does not bother me a bit because I am just as equal as any other member of this convention.

What I prepared tonight was prepared in all seriousness. It was not done to knock or to criticize the Committee. I have the highest regard for the Committee, particularly for its Chairman.

I just thought it could be stated a lot better and still have the issues taken care of.

Now, one other thing. I trust that this is not a prospect in the future, that every time a committee comes out

with a proposal, the chairman will say, "No, you can't do anything to change it because the committee has decided."

That is not democracy and it is not the way a convention should be run.

Thank you very much.

[Applause.]

PRESIDENT CASSELL: All right. Are you ready for the vote?

VOICE: I call the previous question.

PRESIDENT CASSELL: All right, the previous question has been called. Those in favor of cutting off debate signify by saying aye.

[There is a chorus of ayes.]

PRESIDENT CASSELL: Those opposed?

[No response.]

PRESIDENT CASSELL: Abstain?

[No response.]

PRESIDENT CASSELL: Those in favor of the amended motion by Courts Oulahan, signify by saying aye.

SPEAKER: Roll call.

PRESIDENT CASSELL: All right. Are there four persons supporting a roll call?

[There are four persons.]

PRESIDENT CASSELL: Mr. Secretary.

SECRETARY COOPER: Delegate Blount.

DELEGATE BLOUNT: No.

SECRETARY COOPER: Delegate Bruning.

DELEGATE BRUNING: No.

SECRETARY COOPER: Delegate Clarke.

Delegate Coates.

DELEGATE COATES: No.

SECRETARY COOPER: Delegate Cooper. No.

Delegate Corn.

DELEGATE CORN: Yes.

SECRETARY COOPER: Delegate Croft.

DELEGATE CROFT: No.

SECRETARY COOPER: Delegate Eichhorn.

Delegate Feely.

DELEGATE FEELY: No.

SECRETARY COOPER: Delegate Freeman.

DELEGATE FREEMAN: No.

SECRETARY COOPER: Delegate Garner.

DELEGATE GARNER: Yes.

SECRETARY COOPER: Delegate Graham.

Delegate Harris.

DELEGATE HARRIS: No.

SECRETARY COOPER: Delegate Holmes.

DELEGATE HOLMES: No.

SECRETARY COOPER: Delegate Jackson.

DELEGATE JACKSON: No.

SECRETARY COOPER: Delegate Johnson.

DELEGATE JOHNSON: No.

SECRETARY COOPER: Delegate Jones.

DELEGATE JONES: No.

SECRETARY COOPER: Delegate Jordan.

DELEGATE JORDAN: No.

SECRETARY COOPER: Delegate Kameny.

DELEGATE KAMENY: No.

SECRETARY COOPER: Delegate Lockridge.

DELEGATE LOCKRIDGE: Yes.

SECRETARY COOPER: Delegate Long.

Delegate Love.

DELEGATE LOVE: No.

SECRETARY COOPER: Delegate Maguire.

DELEGATE MAGUIRE: No.

SECRETARY COOPER: Delegate Marcus.

DELEGATE MARCUS: No.

SECRETARY COOPER: Delegate Charles Mason.

DELEGATE CHARLES MASON: No.

SECRETARY COOPER: Delegate Hilda Mason.

DELEGATE HILDA MASON: No.

SECRETARY COOPER: Delegate Bryan Moore.

DELEGATE BRYAN MOORE: Yes.

SECRETARY COOPER: Delegate Jerry Moore.

DELEGATE JERRY MOORE: No.

SECRETARY COOPER: Delegate Talmadge Moore.

DELEGATE TALMADGE MOORE: No.

SECRETARY COOPER: Delegate Nahikian.

DELEGATE NAHIKIAN: No.

SECRETARY COOPER: Delegate Nixon.

DELEGATE NIXON: Pass.

[Laughter.]

SECRETARY COOPER: Delegate Oulahan.

DELEGATE OULAHAN: Yes.

SECRETARY COOPER: Delegate Paramore.

DELEGATE PARAMORE: No.

SECRETARY COOPER: Delegate Robinson.

DELEGATE ROBINSON: No.

SECRETARY COOPER: Delegate Rothschild.

DELEGATE ROTHSCILD: Yes.

SECRETARY COOPER: Delegate Schrag.

DELEGATE SCHRAG: No.

SECRETARY COOPER: Delegate Shelton.

DELEGATE SHELTON: No.

SECRETARY COOPER: Delegate Simmons.

DELEGATE SIMMONS: No.

SECRETARY COOPER: Delegate Street.

DELEGATE STREET: No.

SECRETARY COOPER: Delegate Terrell.

DELEGATE TERRELL: No.

SECRETARY COOPER: Delegate Thomas.

DELEGATE THOMAS: Yes.

SECRETARY COOPER: Delegate Warren.

DELEGATE WARREN: No.

SECRETARY COOPER: Delegate Baldwin.

DELEGATE BALDWIN: No.

SECRETARY COOPER: Delegate Barnes.

Delegate Nixon.

DELEGATE NIXON: No.

SECRETARY COOPER: Delegate Cassell.

DELEGATE [and PRESIDENT] CASSELL: No.

SECRETARY COOPER: Mr. President, a call of the roll. The tally is six in favor, 34 not in favor.

PRESIDENT CASSELL: Any abstentions?

SECRETARY COOPER: No abstentions.

PRESIDENT CASSELL: The tally is 6 in favor and 34 not in favor. There are no abstentions. The amendment loses. We are back to the original motion.

Delegate Moore's motion is to adopt the article as read. Are you ready for the question?

DELEGATE CORN: No.

VOICE: Mr. Chairman, I rise to call the question.

VOICE: Second.

[The question is called for. There is a second.]

[Loud side discussions and dissent.]

DELEGATE ROBINSON: Point of information.

PRESIDENT CASSELL: Yes. Delegate Robinson.

DELEGATE ROBINSON: Samuel Robinson from Ward 5.

Mr. President, you asked if there were further amendments earlier and the response from this body was "Yes." The previous question was called. Parliamentarily speaking, are you going to honor the further request on the part of the Delegates to present amendments to this report or are we in fact going to call the previous question?

PRESIDENT CASSELL: I think we will honor further amendments. That is the purpose of this period.

DELEGATE ROBINSON: Thank you, Mr. Chairman and as I am still standing --

PRESIDENT CASSELL: And I would ask -- hold on, just a minute, now -- I would ask the person who called the question, in light of the fact that this is the period for debate and for amendments, if that person would withdraw that --

DELEGATE NAHICKIAN: Yes, Mr. President, I withdraw my motion.

PRESIDENT CASSELL: Thank you very much.

Delegate Robinson.

DELEGATE ROBINSON: Thank you. Mr. President, I should like to offer an amendment to the report as presented by the Committee on Preamble and Rights, line 4, immediately after the blank space.

I should like to place after the comma the following three-word statement --

PRESIDENT CASSELL: What line, please?

DELEGATE ROBINSON: Line 4. Immediately after the blank space, comma. The words to be added "Grateful to God, seek to secure and provide for each person liberty," et cetera.

[A motion is made.]

PRESIDENT CASSELL: Is there a second to that motion?

SPEAKER: Second.

[There is a second.]

PRESIDENT CASSELL: It has been moved and seconded that on line 4, after the blank line and comma, the words be inserted "Grateful to God,".

DELEGATE JACKSON: May I speak to that?

PRESIDENT CASSELL: Yes, sir. Delegate Jackson.

DELEGATE JACKSON: I am speaking not for myself here but for the committee. We had much discussion on this question and we, again, studied every constitution available.

We came to the conclusion that to mention a God or any God would cause innumerable problems.

First of all, the people of D.C. could be multi-religious. They may have many viewpoints. Many may believe in many gods. Many may believe in Allah, in Jesus, in many other forms. Many may not believe in God. And that is left up to the individual citizen and their rights themselves but we felt that the Constitution should not in any way lead to the establishment of either a religion or a prohibition of one -- to pray or not to pray. And that became the question.

So Mr. Chairman, I strongly urge for the following of the Preamble as it is and that in this Preamble we neither make reference to the All Mighty or condemn the All Mighty.

Thank you.

PRESIDENT CASSELL: Further discussion.

Are you ready for the question?

Those in favor of the amendment.

[A roll call vote is requested by over 4 persons.]

Mr. Secretary, please call the roll.

If you are in favor of adding the words, "And grateful to God" at the point that I indicated, signify by saying "Yes" when your name is called. If you are against that, then say "No."

SECRETARY COOPER: Delegate Bruning.

DELEGATE BRUNING: No.

SECRETARY COOPER: Delegate Clarke.

Delegate Coates.

DELEGATE COATES: No.

SECRETARY COOPER: Delegate Cooper. No.

Delegate Corn.

DELEGATE CORN: No.

SECRETARY COOPER: Delegate Croft.

DELEGATE CROFT: No.

SECRETARY COOPER: Delegate Eichhorn.

Delegate Feely.

DELEGATE FEELY: Abstain.

SECRETARY COOPER: Delegate Freeman.

DELEGATE FREEMAN: No.

SECRETARY COOPER: Delegate Garner.

DELEGATE GARNER: No.

SECRETARY COOPER: Delegate Graham.

Delegate Harris.

DELEGATE HARRIS: Abstain.

SECRETARY COOPER: Delegate Holmes.

DELEGATE HOLMES: No.

SECRETARY COOPER: Delegate Jackson.

DELEGATE JACKSON: No.

SECRETARY COOPER: Delegate Johnson.

DELEGATE JOHNSON: No.

SECRETARY COOPER: Delegate Jones.

DELEGATE JONES: Because I am grateful to God, no.

SECRETARY COOPER: Delegate Jordan.

DELEGATE JORDAN: No.

SECRETARY COOPER: Delegate Kameny.

DELEGATE KAMENY: No.

SECRETARY COOPER: Delegate Lockridge.

DELEGATE LOCKRIDGE: No.

SECRETARY COOPER: Delegate Long.

Delegate Love.

DELEGATE LOVE: No.

SECRETARY COOPER: Delegate Maguire.

DELEGATE MAGUIRE: No.

SECRETARY COOPER: Delegate Marcus.

DELEGATE MARCUS: No.

SECRETARY COOPER: Delegate Charles Mason.

DELEGATE CHARLES MASON: No.

SECRETARY COOPER: Delegate Hilda Mason.

DELEGATE HILDA MASON: No.

SECRETARY COOPER: Delegate Bryan Moore.

DELEGATE BRYAN MOORE: No.

SECRETARY COOPER: Delegate Jerry Moore.

DELEGATE JERRY MOORE: No.

SECRETARY COOPER: Delegate Talmadge Moore.

DELEGATE TALMADGE MOORE: No.

SECRETARY COOPER: Delegate Nahikian.

DELEGATE NAHIKIAN: No.

SECRETARY COOPER: Delegate Nixon.

DELEGATE NIXON: Abstain.

SECRETARY COOPER: Delegate Oulahan.

DELEGATE OULAHAN: No.

SECRETARY COOPER: Delegate Paramore.

DELEGATE PARAMORE: Abstain.

SECRETARY COOPER: Delegate Robinson.

DELEGATE ROBINSON: Yes for God.

SECRETARY COOPER: Delegate Rothschild.

DELEGATE ROTHSCCHILD: No.

SECRETARY COOPER: Delegate Schrag.

DELEGATE SCHRAG: No.

SECRETARY COOPER: Delegate Shelton.

Delegate Simmons.

DELEGATE SIMMONS: No.

SECRETARY COOPER: Delegate Street.

DELEGATE STREET: Abstain.

SECRETARY COOPER: Delegate Terrell.

Delegate Terrell.

Delegate Thomas.

DELEGATE THOMAS: Because I am grateful to God,

I vote YES.

SECRETARY COOPER: Delegate Warren.

Delegate Baldwin.

DELEGATE BALDWIN: No.

SECRETARY COOPER: Delegate Barnes.

Delegate Blount.

DELEGATE BLOUNT: No.

SECRETARY COOPER: Delegate Cassell.

PRESIDENT CASSELL: No.

SECRETARY COOPER: Mr. President, the vote stands three in favor, 30 not in favor, five abstentions.

PRESIDENT CASSELL: Okay, the vote is three in favor, 30 voting no and five abstaining. The motion loses.

Any further amendments?

Delegate Corn.

DELEGATE CORN: I have two parts to this amendment.

The first part is to strike lines 12 and 13 which currently read, "We reach out to all the peoples of the world in a spirit of friendship and cooperation, certain that together we can build a future of peace and harmony."

That is the first part of my amendment.

The second part of my amendment is to strike lines 4, 5 and 6 and to add the following --

PRESIDENT CASSELL: Delegate Corn, why don't you take those one at a time?

DELEGATE CORN: Okay, one at a time. I would urge you to delete lines 12 and 13 because --

DELEGATE MARCUS: There is no second.

DELEGATE CORN: Well, he hasn't asked us. I haven't given him a chance to ask us yet.

[Uproar, untranscribable.]

DELEGATE CORN: Shall I tell them why first?

DELEGATE JONES: Point of order, Mr. Chair.

PRESIDENT CASSELL: Point of order.

DELEGATE JONES: The Delegate who has the Floor should be allowed to speak regardless of whatever she might be saying. She has a right to say it.

DELEGATE CORN: Thank you, Teresa.

DELEGATE JONES: Now, please, Mr. Chairman, I beg you to call the Delegates who were making the noise out of order.

PRESIDENT CASSELL: I am sorry I was not listening to you, Delegate Corn. Did you make a motion?

DELEGATE CORN: I have two parts to my motion. You asked that I give one part at a time.

PRESIDENT CASSELL: Yes.

DELEGATE CORN: The first part is to delete lines 12 and 13 which start out, "We reach out to all peoples of the world" and ends with "peace and harmony."

VOICE: Second.

[The motion is made and seconded.]

DELEGATE CORN: Thank you.

The reason that I am asking that this be deleted is not because I am against peace and harmony or I am against reaching out to all peoples of the world but we, as applying

for statehood, are not applying for nationhood and therefore, in reaching out to all the peoples of the world with peace and harmony, it must be through the United States of America, not through our own particular state.

I also would remind you that our legal counsel has said that these two lines can be misconstrued by Congress. They can create a negative impact on Congress and if you want statehood, don't harass Congress. Give them what they want and get your statehood in return.

PRESIDENT CASSELL: All right. Committee Member Marcus.

VOICE: Mr. Chair. Mr. Chair.

PRESIDENT CASSELL: Committee replies first. He has been delegated as the spokesperson to reply.

DELEGATE MARCUS: Was there an official movement there, Mr. Chairman?

DELEGATE CORN: I moved that and it was seconded by Bryan Moore.

PRESIDENT CASSELL: Delegate Marcus.

DELEGATE MARCUS: Thank you, Mr. President.

I did not realize that in order to extend a hand of friendship and cooperation to the rest of the peoples of the world one had to be a nation by one's self.

It seems peculiar to me that the Delegate from the Republican Party would not want to extend a hand of friendship to the rest of the peoples of the world.

DELEGATE CORN: [Outraged protest.]

PRESIDENT CASSELL: Now, now, don't you do that.

DELEGATE MARCUS: I'm sorry, Mr. Chair.

DELEGATE CORN: [Continued protest.]

PRESIDENT CASSELL: Delegate --

DELEGATE CORN: : -- point of personal preference

PRESIDENT CASSELL: Delegate Corn --

DELEGATE CORN: -- I will not take that kind of abuse.

PRESIDENT CASSELL: Delegate Corn, please.

DELEGATE CORN: I am furious.

PRESIDENT CASSELL: Delegate Corn, we will protect you.

DELEGATE CORN: I will not be made a fool of.

[Many side comments from the floor.]

PRESIDENT CASSELL: Delegate Marcus --

DELEGATE MARCUS: Yes, sir.

PRESIDENT CASSELL: Would you approach the bench?

[Brief off the record.]

DELEGATE MARCUS: Mr. President, I would like to

apologize to Delegate Corn. That was out of order.

PRESIDENT CASSELL: Thank you.

DELEGATE CORN: And you can also apologize to the Republican Party.

PRESIDENT CASSELL: Delegate Corn, will you please sit down.

[Many voices exhort Delegate Corn to be seated.]

PRESIDENT CASSELL: Delegate Marcus, please, don't provoke any more, all right? Please.

DELEGATE MARCUS: Mr. President, I --

PRESIDENT CASSELL: Please, the hour is late. We were making pretty good time. Now, let's see if we can't speed it up. Order, please.

DELEGATE MARCUS: I do have to register something of an objection to the interpretation of the legal counsel's legal position as having a political position presented as a legal position. It was not particularly germane to this particular part of the Preamble itself. The Committee --

DELEGATE CORN: Point of order. He is not --

DELEGATE MARCUS: The Committee --

DELEGATE CORN: -- speaking in defense of the Committee.

DELEGATE MARCUS: The Committee provided those two

particular lines because it was felt that it was important that the Preamble speak to all the peoples of the District of Columbia and point out the peoples' good will and willingness to work with all the people in the world.

There is plenty of precedent for it. Clearly, Hawaii provides some precedent for it. That, in fact, is the place the idea came from.

It is important that as we embark on this new chapter in our history --

[Throughout this, comments from the Floor.]

-- it is important that as we embark on this new chapter of our history that we dedicate ourselves to some general principles related to the way that the world itself operates.

That is why the Committee provided that particular line.

PRESIDENT CASSELL: Delegate Jones.

DELEGATE JONES: Teresa Jones, Delegate from Ward 8. Gloria, in all deference to you, I rise to speak against your amendment and the reason I rise to speak against your amendment is because I hope that the state of whatever we are going to call ourselves here in the District of Columbia is going to reach out their hands to Afro-Americans -- that is me.

They are going to reach out their hands to my neighbor, who is Chinese. They are going to reach out their hands to anybody else in this City that becomes part of the melting pot here in the United States of America and if we don't do that -- if we don't do that, we don't reach out to Hawaii. We don't reach out to Grenada. And we don't reach out to Teresa Jones.

So I rise to speak against your motion.

[Applause.]

PRESIDENT CASSELL: Delegate Jordan.

DELEGATE JORDAN: Mr. President, I don't want to seem redundant but apparently, somehow, in all of this discussion this evening, some statements have kind of floated over the heads of some Delegates here.

Or maybe we are to be accused of selective inattention. We have only heard what we have wanted to hear.

The fact of the matter is that the District is not trying to do anything new. This Committee is not trying to do anything new.

The words are contained in the Constitution of Hawaii. I hope that our efforts to win statehood are as successful as the peoples of Hawaii's was. Because clearly, in their Constitution and in their Preamble, it says "We affirm

our belief in the Government of the people, by the people and for the people and with an understanding and compassionate heart towards all peoples of the world, do hereby establish this Constitution of the State of Hawaii."

Now, I do not understand why this provision in the Committee Report elicits all of this debate and discussion. It is being taken out of context.

I can assure you that I do not wear a Confederate Flag on my back. I don't dress myself in the morning and say that I want to secede from the United States. I think that when the Delegates to this Convention who are members of the Committee sat down and drafted a Preamble, we were cognizant of the fact that this Preamble was going to be submitted as part of a package to the Congress of the United States for admission to the United States.

So in that respect, I think this amendment is unnecessary and I would hope that every Delegate here would vote against it.

[Applause.]

PRESIDENT CASSELL: Delegate Talmadge Moore.

DELEGATE TALMADGE MOORE: I have just a point of information. It is clear to me that the matter in this line 12 and 13 refers to the State as being in the United States and

as Counsel has pointed out, it may cause some different interpretations of it.

DELEGATE MARCUS: I did not hear what you said.

DELEGATE TALMADGE MOORE: It appears to me that the State of Columbia or the State of _____ is taking the position of the United States in lines 12 and 13 and I didn't want to comment on what the counsel indicated but someone may get the wrong interpretation of this.

I am not speaking for it or against it. But I am just giving you my point of information.

DELEGATE MARCUS: There is clearly a constitutional provision which prohibits states from conducting foreign policy but I do not think that there is any way that an expression of friendship to the peoples of the world in general can be interpreted as conducting foreign policy and I would yield to the counsel if he has a different interpretation of that.

[President Cassell having left the podium briefly.

Vice President Baldwin chairs the Convention.]

VICE PRESIDENT BALDWIN: Are there other unreadinesses to the amendment?

DELEGATE CORN: May I speak --

VICE PRESIDENT BALDWIN: Are there other unreadinesses to the amendment? Having heard none, we will hear from

Mrs. Corn last.

VOICE: No, she already spoke.

DELEGATE CORN: The reason I object to these two lines is not, in all deference to my esteemed colleague, Teresa Jones. If this read, "We reach out to all the people of our state," I would welcome this. But it does not say that. It says "We reach out to all the peoples of the world" and that implies nationhood.

I ask you to vote against it because if you do really want statehood, I would make whatever compromises you have to and face reality and get your statehood -- if you have to succumb to Congress on a number of points and issues, do it, if what you want is statehood.

If what you want here is an ego trip, say what you want and express your own emotions, fine.

But if you really want statehood, you can't help ignore the implications of lines 12 and 13, a meaning of a national interest to reach out is the way any nation would speak. This is not the statement of a state governed by the Constitution of the United States of America.

ACTING CHAIRMAN BALDWIN: Delegate Corn, your point is well-taken. You are repetitious.

We will now vote.

Those in favor of the amendment motion signify by saying aye.

[There is a weak chorus of ayes.]

Opposed is nay.

[There is a strong chorus of nays.]

The motion is lost.

DELEGATE CORN: All right, I had another amendment.

ACTING CHAIRMAN BALDWIN: Okay.

DELEGATE CORN: And I was allowed --

[Several comments from Floor.]

DELEGATE CORN: Afterwards.

Should I call for a roll call? How about a roll call vote?

[Many voices opposed.]

DELEGATE CORN: Thomas, you want to support a roll call vote on that?

[Many voices outcry of protest.]

ACTING CHAIRMAN BALDWIN: Delegate Corn, will you please present your second amendment?

DELEGATE CORN: Second amendment would be to substitute for lines 4, 5, 6 -- would be the following:

"We, the free people of the State of _____, in order to govern ourselves democratically under the United

States Constitution as a state, seek to promote liberty, health, safety, well-being and a peaceful and orderly life for each and every individual; secure the blessings of freedom and justice for ourselves and our posterity; --"

ACTING CHAIRMAN BALDWIN: Delegate Moore --

SEVERAL VOICES: Point of order, Mr. Chairman.

PRESIDENT CASSELL: What is the point of order?

DELEGATE MARCUS: That is nearly verbatim --

DELEGATE CORN: No, it is not nearly verbatim.

There are quite a few changes.

DELEGATE MARCUS: [Overridden by Delegate Corn]

It is nearly verbatim as to what Delegate Moore has in his amendment and therefore --

[Many outcries from other Delegates.]

DELEGATE CORN: No, it is not. It has different wording --

PRESIDENT CASSELL: Hold it. Hold it. Corn --
Corn -- please -- Hold on. Hold on.

[Protest from court reporter.]

PRESIDENT CASSELL: All right, now we have an additional reason that we are going to have to conduct our business in an orderly fashion. You know we have to make a record, right? The court reporter cannot hear when more than

one person is speaking. She does not know who is speaking or what they are saying.

Okay, now, one at a time. Your point of order is, Delegate Marcus.

DELEGATE MARCUS: That --

[Continued interruptions off the record.]

PRESIDENT CASSELL: Wait a minute.

Delegate Corn, please don't interrupt him. Right? Because I can yell louder than you. And you know that, right?

DELEGATE CORN: Yes, yes.

PRESIDENT CASSELL: And I don't want to have to sit you down. Yes.

DELEGATE MARCUS: Mr. President, what Delegate Corn is offering here is nearly verbatim and certainly absolutely in the spirit of what Delegate Oulahan offered earlier as an amendment and what we voted down and therefore what Delegate Corn is offering is a reconsideration and --

DELEGATE CORN: Sir, that is not true. That is not nearly verbatim.

PRESIDENT CASSELL: Would you restate your motion, very carefully?

DELEGATE CORN: "We, the free peoples of the State of _____, in order to govern ourselves democratically,

under the United States Constitution as a state, seek to promote liberty, health, safety, well-being and a peaceful and orderly life for each and every individual; secure the blessings of freedom and justice for ourselves and our posterity; --"

PRESIDENT CASSELL: All right, Delegate Corn.

Delegate Corn, that is practically verbatim Delegate Oulahan's, which has been voted down. It is out of order. Right.

DELEGATE CORN: Sir, it is not almost verbatim.

PRESIDENT CASSELL: Do you have another amendment?

DELEGATE CORN: No. No but I contend that that is not almost verbatim --

PRESIDENT CASSELL: I rule that it is out of order, that it has been voted down. We cannot take the time to go over this again and again.

DELEGATE CORN: I challenge the Chair's ruling then, please.

[Out of order comments from the Floor.]

PRESIDENT CASSELL: Do you want to reconsider that rather than to waste our time, Delegate Corn?

DELEGATE CORN: Sir, with --

PRESIDENT CASSELL: The question is yes or no.

[Continuing side comments.]

DELEGATE CORN: Sir, with all due respect, I feel my language is quite different and takes into account many different things that the Oulahan amendment did not.

[Outcries.]

DELEGATE JORDAN: Point of order, Mr. Chair.

PRESIDENT CASSELL: Yes. Point of order.

DELEGATE JORDAN: Sir, under our rules there is a requirement for a second and I have not heard any second.

DELEGATE CORN: It was seconded, back there.

[Shouts negating same.]

DELEGATE CORN: No, it was seconded originally. Oulahan seconded it.

DELEGATE JORDAN: [Continues to protest there was no second, accompanied by similar statements from Floor.]

DELEGATE CORN: There was. Oulahan seconded it.

DELEGATE JORDAN: Please, Gloria.

Mr. President, I did not hear a second so if he could tell me he seconded the motion, I would appreciate it.

PRESIDENT CASSELL: Courts Oulahan seconded it and I saw that. Those in favor --

The previous question has been moved, right?

DELEGATE JORDAN of BLOUNT: I just want to say

that it would seem to me that when a motion has been made that we have to be waiting and we waited for a second. So when we wait for the second and there is none, then it would seem to me that it would die for lack of a second.

[General Agreement is expressed.]

DELEGATE CORN: It had gotten a second initially.

[Several voices: It got a second.]

DELEGATE CORN: You just didn't hear it and didn't care and --

DELEGATE JORDAN: When did it get a second?

DELEGATE CORN: As soon as I finished stating it the first time, Oulahan rose to second it.

PRESIDENT CASSELL: I rule that it was seconded. I am going to call for the question.

Those in favor of the motion, signify by saying aye.

[There is a chorus of ayes.]

Those opposed?

[There is a weaker chorus of nays.]

Those abstained?

[No abstention.]

Okay, the motion carries.

Those in favor of the amendment offered by

Delegate Corn signify by saying aye.

DELEGATE JORDAN: [Protest.]

DELEGATE CORN: Let it go, Ab, let it go.

DELEGATE JORDAN: [Continuing protest -- a portion untranscribable as overridden by other Delegates.]

Mr. Chairman, there was an appeal. The motion on the floor is appealed and they are obfuscating what we are trying to do here.

PRESIDENT CASSELL: Delegate --

DELEGATE JORDAN: No, no, sir, that has to be dealt with right now because I don't want nobody coming up later and saying you know that we went over something and obfuscated what they were trying to do so Gloria Corn had appealed the ruling of the Chair that her amendment wasn't answered and a motion for reconsideration or there should have been a motion for reconsideration and the Chair ruled it out of order. She appealed the ruling of the Chair.

And I am asking, Mr. Chairman, for the vote on this appeal to the Chair, which requires a two-thirds vote to sustain.

PRESIDENT CASSELL: Delegate Jordan, maybe you want to ask -- as you just got through asking -- if we got a second? I did not hear that.

DELEGATE JORDAN: No, sir, Courts Oulahan did it.

PRESIDENT CASSELL: No, not that motion. Not that motion, no.

[Untranscribable outcries from the Floor.]

DELEGATE JORDAN: Mr. Chairman, I rose a few minutes ago to ask if there was a second to the amendment on the appeal of the chair. I heard that there was.

VOICE: There was a second to the amendment.

DELEGATE JORDAN: No, no, no. I am talking about the appeal --

[Continuing outcries. President rapping gavel.]

VICE PRESIDENT BALDWIN: Mr. President, the amendment was seconded. The appeal was not.

DELEGATE HARRIS: Which amendment, Mr. Chair?

VICE PRESIDENT BALDWIN: The amendment on the Floor.

DELEGATE CORN: My amendment was seconded.

Was there a second to the appeal?

SEVERAL VOICES: No.

PRESIDENT CASSELL: The motion on the floor, now, is Delegate Corn's motion. The question has been called. It has been voted that we shall vote on this.

Those in favor of Corn's amendment, please signify by saying aye.

[There are a few ayes.]

PRESIDENT CASSELL: Those opposed?

[There is a resounding chorus of nays.]

PRESIDENT CASSELL: Abstained?

[No abstention.]

PRESIDENT CASSELL: The amendment loses.

Further amendments.

Delegate Harris.

DELEGATE HARRIS: Mr. Chair, at this time I would like to move two amendments. One I have already discussed. That was indicated as out of line with the sentence in which it was earlier indicated to be placed and that is the word "liberty."

At this time I would like to move that the word "liberty" be inserted on line 6 after the word "justice" which it has a comma and the word "liberty" inserted there before "and." And the second part of that is that line 14 --

[Continuing verbal unrest from the Floor.]

-- on line 14, that is the phrase, "every person" be deleted and inserted in its place "the people."

I would like to take those two amendments one at a time.

PRESIDENT CASSELL: Is there a second?

DELEGATE CORN: Second, to the first amendment.

[The motion is made and seconded.]

PRESIDENT CASSELL: Okay. It has been moved and seconded that on line 6 that "liberty" be included right after the word "justice." And that would read, "life and the right to legal, social and economic justice, liberty and equality."

Is that correct?

[General agreement.]

Okay. Discussion. Any discussion?

The Committee gets the first rejoinder.

DELEGATE MARCUS: Mr. Chair, can I have one minute to discuss this with the Committee?

PRESIDENT CASSELL: One full minute?

DELEGATE MARCUS: One full minute. So ordered.

PRESIDENT CASSELL: No, no, no. If you are going to do that, would it make any difference if you come second or third while you are doing that? I don't want to have any dead time here now.

Okay, further discussion on the amendment.

Freeman. Robinson.

DELEGATE FREEMAN: I would speak against the amendment because you would then have the word "liberty" qualifying legal, social and economic and I really don't know

what legal liberty is. And I am not so clear I like the idea of social liberty. That could mean the right to do all sorts of horrible things to people. And economic liberty could also mean the same thing. It could mean the right to bulldoze folks so I think we should consider the way we have this line structured and liberty then would modify those words and I think it is terrible.

DELEGATE MARCUS: Mr. President, I have polled the Committee on that particular suggestion because of some of the discussions which were taking place earlier.

The sense of the Committee is that the Committee prefers not to add that particular amendment to the body of the Preamble.

We agree with Delegate Freeman that it changes the sense of the language. It adds several different kinds of meaning to the Preamble itself and it is not in fact as straightforward as the language is at this point. It makes the Preamble more wordy and changes what our intent was.

So I object to that.

PRESIDENT CASSELL: Further discussion.

Delegate Jackson.

DELEGATE JACKSON: [Overridden by other Delegates.]

PRESIDENT CASSELL: I can't hear -- I'm sorry.

Harris and then Jackson.

[These Delegates give way to Delegate Robinson.]

DELEGATE ROBINSON: Samuel Robinson, Ward 5. I stand to speak against the addition of the word "liberty" after the word "justice" before -- immediately preceding justice. My reason is that the word liberty does not fit in the context of the writing but maybe it would be to the maker's advantage to place liberty at the point on line 9 immediately after "freedom."

Liberty would fit in a logical sequence after the word freedom as opposed to including it or placing it on line 7, on line 6, immediately after the word "justice."

While so standing, I should like to then move that the word "liberty" be inserted immediately after the word "freedom" on line 9.

[The motion is made but not seconded.]

DELEGATE HARRIS: Delegate Robinson, as you were speaking, I was getting ready to ask if there was any thought as to where "liberty" might best be placed.

DELEGATE ROBINSON: It was my belief, Ma'am, that --

DELEGATE HARRIS: Okay, the motion is to insert "liberty" and if it is best-fitted on line 9 rather than line 6, I will accept that.

PRESIDENT CASSELL: All right, are you ready?

DELEGATE SAM MOORE: Well, I object to what is going on. I was not recognized and several things took place.

PRESIDENT CASSELL: Yes.

DELEGATE SAM MOORE: Because another motion is on the floor but it was not seconded so that means, does it not, that that motion is dead and we are going on with some kind of a compromise, right? Which is apparently parallel and a third motion so I will have to deal with this situation.

DELEGATE MARCUS: Has the compromise been accepted in chief?

DELEGATE ROBINSON: [To Delegate Harris.] Okay, have you accepted the compromise?

DELEGATE HARRIS: Yes, I did.

DELEGATE ROBINSON: Okay, may I please inform the body that the maker of the motion has accepted the compromise and the compromise is to place the word "liberty" on line 9 immediately after "freedom."

DELEGATE HARRIS: I think that has to be raised by the maker of the motion which is a point which Delegate Robinson did not hear. I accepted and stated that the word "liberty" be added after the word "freedom," after the comma --

DELEGATE ROBINSON: Okay.

DELEGATE HARRIS: And a comma after "liberty" on line 9 before "and."

DELEGATE ROBINSON: Okay. Okay.

DELEGATE CORN: "Justice, comma, liberty, comma, and."

VOICE: No?

PRESIDENT CASSELL: I am still not sure how this reads. Would you excuse us just a moment?

[Side conversations while President confers with Delegate Harris.]

DELEGATE JACKSON: [Several times.] That is out of order.

DELEGATE HARRIS: I asked of the Delegation their wisdom in where to put the word "liberty." In its third mix, where Delegate Robinson indicated as I read it, it only maximizes it but does not secure it as is in lines 4, 5 and 6.

May I ask the wisdom of the body?

[MANY VOICES: Commenting simultaneously.]

PRESIDENT CASSELL: The Chair is going to rule that whole procedure out of order. I am going to ask you if you would just withdraw that, reconsider it and come back with something specific and clear, you know, and make your motion again, right?

[SEVERAL VOICES: Impossible to transcribe.]

PRESIDENT CASSELL: You mean, you are making your motion now and you are asking the Committee what they think about your motion before you seriously offer it?

[Continuing discussion off record.]

PRESIDENT CASSELL: Yes. [Recognition.]

DELEGATE SAM MOORE: Mr. President, I have been sitting here listening to a conversation that perhaps the rest of you were not privy to but it seems to me that a proposition has to be put firmly before the Delegates for us to consider and at the moment, the only proposition that is firmly before the Delegates is the motion which is the original motion to adopt this Preamble.

Now, I am not trying to instruct the Chair because that is his job and he has somebody else there to help him but I do wish for our consideration that some firm proposition in the form of amendment or a substitute would be put before us if it enables those of us who are here to defend our work an opportunity to think rationally and defend rationally our work

PRESIDENT CASSELL: Okay. The Chair has already ruled that the motion that was on the floor and that was debated back and forth here and there was a discussion about amending it as a suggestion from the persons simply created

confusion without order.

There is no motion on the Floor now.

[Several voices: Yes, there is.]

PRESIDENT CASSELL: Well, I am saying that that is out of order. It is out of order.

All right, now, why don't you restate this now?

DELEGATE HARRIS: On line 14, "every person" be deleted and in its place the phrase inserted, "The people."

[A motion is made.]

PRESIDENT CASSELL: Okay, is there a second to that?

[There is a second.]

PRESIDENT CASSELL: Okay, it has been moved and seconded that on line 14 that "every person" be replaced with "the people."

Committee representative.

DELEGATE KAMENY: Mr. President. Fellow Delegates.

If you will read your Committee Report, you will see that precisely this amendment in the reverse was done by the Committee. I read, at the bottom of page 6, Section 4-B.

"The people" was changed to "every person" for reasons already clearly indicated above -- and I will indicate to you where those are in a moment -- "in regard to other

language. Use of the phrase 'the people' would tend to be interpreted as meaning that government would serve some good of the people collectively as interpreted by the government. And as embodied by the government because the government is the concrete embodiment of the people and therefore, that the government would serve itself as the elected embodiment of the people."

That is what you get if you make this amendment and I do not think we want the government to be serving itself.

The phrase, "The people individually as well as collectively" was considered and was rejected on stylistic grounds although we did accept it conceptually.

The final language, "every person" was adopted as being a shorter, less clumsy, more sonorous and less repetitive version of the longer rejected phrase.

It was the intent of the committee that government is there to serve the individual citizen who has need from the government and who requires the service of the government and for whom the government is a servant and not a master.

Not just a collectivity of us, which imposes a tyranny of the majority at expense of the minority and every one of you knows at one point or another how it feels to be a member of a minority under the government who is dealing with

collectivities and ignoring your individual complaints because they are not the majority.

The Committee considered that phrase with extreme care and took its actions with a great deal of consideration.

I urge you to vote down this proposed amendment.

Thank you.

PRESIDENT CASSELL: Further discussion?

All right, all those in favor of the amendment, signify by saying aye.

[There is a very weak chorus of ayes.]

Those opposed?

[There is a very strong chorus of nays.]

Abstained?

[There is one abstention.]

[The amendment does not pass.]

PRESIDENT CASSELL: The amendment loses.

Further amendments. Who is next?

Delegate Jackson.

DELEGATE JACKSON: Mr. Chairman, I move to close debate on the Preamble.

DELEGATE CROFT: Second.

DELEGATE JACKSON: Call the question.

[Motion made and seconded to close the debate.]

DELEGATE ROTHSCHILD: Point of order. I have an amendment I have been trying to put forth.

DELEGATE JACKSON: We have to vote on this.

PRESIDENT CASSELL: Okay. It has been moved and seconded that we close debate on this. All those in favor of closing debate.

[There is a loud chorus of ayes.]

[Followed by many side comments and dissention.]

PRESIDENT CASSELL: All right, I am sorry. The Secretary has just pointed out that Delegate Rothschild has submitted a formal amendment that he would like to enter into the record and we will permit that.

All right.

DELEGATE KAVENY: Well, now, as a point of order, that amendment if submitted at this stage is not a minority report. It has no greater status than any other amendment coming off the Floor at this point and therefore is entitled to no greater respect than any of the other people who offered amendments by motion and called the question. That remains in effect. Just because that he typed it up on a piece of paper makes no difference.

PRESIDENT CASSELL: Mr. Parliamentarian.

PARLIAMENTARIAN BALDWIN: He is right. Dr. Kaveny

is right.

PRESIDENT CASSELL: Yes.

Delegate Rothschild, it has been indicated that that amendment that you submitted does not take precedence over a vote to close debate which is on the Floor now.

DELEGATE ROTHSCCHILD: I have been trying to be recognized for quite awhile now and I have had that typed up since the beginning and I noticed before you asked to postpone

PRESIDENT CASSELL: Start that again now. I am sorry.

DELEGATE ROTHSCCHILD: Okay. I had this prepared for the beginning of the evening. I chose not to present a minority report. I would like to present an opportunity as a member of the committee to present an opportunity to put in, you know, my point and I think --

VOICES: Point of order --

PRESIDENT CASSELL: Okay. I understand what you are saying and I think what has happened --

Wait a minute, let me respond --

VOICE: Point of order. There is a motion and second to close debate.

PRESIDENT CASSELL: Right. I understand that. But there has been extended debate on this. And the rule of

the body, I mean, the wish of the body obtains on that at this particular point as a properly-raised motion, properly-introduced motion. It has been seconded and therefore, legally, I have to call this. You had an opportunity --

DELEGATE ROTHSCHILD: No, you didn't call it before. You didn't call it before.

DELEGATE OULAHAN: Mr. Chairman, may I speak to a point of order?

PRESIDENT CASSELL: One final point of order. Mr. Oulahan.

DELEGATE OULAHAN: Our Rules provide there are to be five hours of debate. Five hours of debate have not transpired and the gag rule has been employed by this ploy here.

PRESIDENT CASSELL: Well, I am afraid you are wrong, sir. I mean, there are five hours to deal with the articles of this committee, but it does not say there are any five hours of debate. Not --

DELEGATE CORN: Point of order, Mr. Chairman.

PRESIDENT CASSELL: -- only that but a motion to cut off debate is in order at any time.

VOICE: Point of order.

PRESIDENT CASSELL: Another point? Yes.

VOICE: What motion are we on, anyway?

SEVERAL VOICES: The motion to cut off debate.

DELEGATE CORN: Point of order, Mr. President.

Point of order, Mr. President.

PRESIDENT CASSELL: Delegate Moore. It has been moved and seconded that we cut off debate.

DELEGATE CORN: Point of order, Mr. President.

PRESIDENT CASSELL: All right, we will close debate.

DELEGATE CORN: Point of order, Mr. President.

PRESIDENT CASSELL: Point of order. Yes.

DELEGATE CORN: We had voted this past Saturday that the first readings may take up to three weeks and that each report may take between 10 and 12 hours.

Therefore, the one section of this committee may take five hours with no problem since this is roughly half of their report.

SEVERAL VOICES: What? What?

[Consternation on the Floor.]

PRESIDENT CASSELL: Delegate Jackson.

DELEGATE JACKSON: Mr. President, I withdraw my motion so Delegate Rothschild can speak.

PRESIDENT CASSELL: Okay.

[Applause.]

PRESIDENT CASSELL: Delegate Rothschild.

[Delegate Corn, rising to feet and calling on President, who instructs her to sit down.]

DELEGATE SAM MOORE: Mr. President, in Delegate Rothschild's discussion --

PRESIDENT CASSELL: One moment, Delegate Rothschild has the floor now. Do you have a point of order or of inquiry?

DELEGATE SAM MOORE: Yes, I do. I do.

PRESIDENT CASSELL: All right.

DELEGATE SAM MOORE: Delegate Rothschild indicated that he wanted to make this amendment as a member of the committee.

PRESIDENT CASSELL: Yes.

DELEGATE SAM MOORE: That is impossible. He cannot do that.

PRESIDENT CASSELL: He has a right to make an amendment as a delegate.

DELEGATE SAM MOORE: I know that but I am just objecting to him making it as a member of the committee because --

PRESIDENT CASSELL: What is your intention, Delegate Rothschild?

DELEGATE ROTHSCHILD: Delegate Rothschild, Ward 2.

PRESIDENT CASSELL: No, I asked you a question.

DELEGATE ROTHSCHILD: Yes.

PRESIDENT CASSELL: What is your intention? What do you intend to do?

DELEGATE ROTHSCHILD: To introduce an amendment.

PRESIDENT CASSELL: As ---?

DELEGATE ROTHSCHILD: As a Delegate to the Convention.

PRESIDENT CASSELL: Very good. All right.

DELEGATE ROTHSCHILD: Okay, thank you.

I would first like to thank Delegate Jackson for withdrawing his motion --

[Uproar on the Floor. President using gavel.]

I would like to thank Delegate Jackson for withdrawing his motion to close debate. I think it is in the spirit of really open dialogue and democracy really to talk these things out fully.

I would like to offer an amendment to the main motion on the Floor and explain it. I will first introduce it. You have it before you. It is actually a substitute Preamble but I am offering it as an amendment since a substitute is not appropriate at this point.

"In harmony with that aspect of the universal democratic heritage enunciated in the Constitution of the United States of America, we the people of _____ adopt this

Constitution to establish and structure our state government.

"By so doing, we engage in an evolving orderly process to preserve and promote justice, safety and the general welfare. Engendered in our thinking is governance to foster individual and community development and responsibility.

"Fundamental to achieving these objectives and the foundation on which this document is constructed is the belief that all government authority is derived from and accountable to our diverse citizenry.

"Therefore, we declare for ourselves and posterity that freedom and democracy shall reign within our boundaries."

DELEGATE CORN: I second it.

VOICE: Second it.

A motion is made and seconded.]

DELEGATE ROTHSCILD: Thank you.

I will briefly explain why I have constructed this Preamble.

PRESIDENT CASSELL: Hold on, now. We have got a procedure here now, right? It has been moved and seconded --

DELEGATE ROTHSCILD: Right.

PRESIDENT CASSELL: -- that your amendment be adopted. All right. Is there any discussion?

DELEGATE ROTHSCILD: Well, I would like an

an opportunity to explain this amendment -- the proposed amendment.

PRESIDENT CASSELL: Yes. Well, you remember our rule is that the first reply is to the committee. That is what we have been following.

DELEGATE ROTHSCHILD: Well, when do I have an opportunity to explain it? I will have it after the committee --

PRESIDENT CASSELL: Along with everybody else.

DELEGATE ROTHSCHILD: No, I mean --

PRESIDENT CASSELL: The rule is, Delegate, that the first rejoinder is from the committee. That is what we have been following all along.

DELEGATE ROTHSCHILD: But I am the maker of the motion so I have a right to explain the rationale for my motion.

PRESIDENT CASSELL: All right. Your point is well-taken. Speak for your motion and then the rejoinder comes from the committee.

DELEGATE ROTHSCHILD: Thank you.

I opened the [proposed] Preamble with "in harmony" because I feel it sets a tone and a mood for what we want to do as a state. We want to be harmonious. So I used that phrase specifically to set that tone.

If you look on the first line, I have "universal democratic heritage." The reason I have used the phrase, "universal democratic heritage" is because the democracy that we are establishing by our process has really come from other places and come from other struggles and people who have given their lives and so forth to open this opportunity to us to further democracy so I like "recognizing universal democratic heritage."

I might also add that, as Congressman Conyer spoke the other day, he mentioned the fact that much of the world is looking to us and to see what we will do so I feel that in using that type of a phrase, we are giving full recognition of the fact that we are not creating democracy, we are taking a concept which has been created by many throughout the world.

"Universal" is a double-meaning word. It means both "world" and "universe." I feel that by using something like "universal" and "universal democratic heritage," it is not necessarily a substitute for God but it places us relative to something else.

In other words, we are not the All-Being. We are not the Grand People. We are basically part of a universe. We are part of the greater system.

Now, also in the first sentence, I say, "In

harmony with that aspect of the universal democratic heritage enunciated in the Constitution of the United States of America."

In that is the idea that we are part of the United States of America but also, when I say, "with that aspect of the universal democratic heritage," it recognizes that the Constitution of the United States did not encompass all democracy.

As many recognized, there were a lot of people left out of the democracy of the United States Constitution but yet I give some deference to the fact that we are part of the United States so it is kind of that mixed in.

Also, I used the phrase, "establish and structure" because that is what we are really here about. We are structuring a government by choosing the different articles. The main purpose of our being here is to establish that government and provide structure to it -- a judiciary, an executive and a legislative branch.

Okay, the next sentence I have, "We engage in an evolving and orderly process to preserve and promote justice, safety and the general welfare." The reason I used that phrase, "evolving and orderly process" is because we are writing a constitution now that is basically bringing us into the future.

Also, Thomas Jefferson was very attuned to the

idea that constitutions and governments have to keep changing with the times so I am providing for that recognition of an evolving orderly process and we are going through a very rapid period of change in our history right now.

The next sentence, "Engendered in our thinking is governance to foster individual and community development and responsibility." In that sentence I give recognition to the individual developing and the community. The two are developing together. It is not one versus the other. It is both simultaneously.

Also within that same sentence, I used the word "Responsibility." "Foster individual community development and responsibility" because I think it is important to bring out the concept of citizens being a part of the process and being responsible to their government and to the welfare of the state.

Next sentence, "fundamental to achieving these objectives, the foundation on which this document is constructed is the belief that all government authority is derived from and accountable to our citizenry."

That basically is what it says. The government gets its authority from the citizens but it is continually indebted to the citizens for that authority. It is continually accountable to the citizens.

The final sentence, "Therefore, we declare ourselves for ourselves and posterity that freedom and democracy shall reign within our boundaries."

Now, in that sentence I have the word "posterity," meaning the future. In the first sentence, I have the word "heritage." So what I have done -- or tried to do in this preamble -- is move us from the universal democratic heritage to posterity, seeing where we came from, who we are leaving the system to and in the middle, there is the phrase, "An evolving, orderly process."

So what it basically does is, it provides some coherence to the whole movement throughout the Preamble.

I want to thank the Delegate very much for giving me this opportunity to express this and bring out this. Thank you very much.

[Applause.]

PRESIDENT CASSELL: Okay. That was five minutes flat. No more. No less. Yes? Delegate Marcus.

DELEGATE MARCUS: Yes. I would like to inform the Delegation that Mr. Rothschild proposed the exact same preamble to the subcommittee and then later the full committee which rejected it. The committee felt that the presentation and the preamble itself was obtuse and was difficult to understand and

it did not express a very broad range of interests or philosophies. Thank you.

PRESIDENT CASSELL: Delegate Marcus, I just want to make a comment on that. It is true that although a person can make a minority report or attempt to prevail and not prevail, it is appropriate for him to make the case here if he could not make it there.

The fact that it was rejected by the committee does not mean that -- it has nothing to do with the way the Delegates respond to it.

DELEGATE MARCUS: Mr. Chair, I have no objection to doing that. It is just that the Delegate did not allow the rest of the body to have that shared with them and I don't know whether it is appropriate for them to know that.

In fact, I have no objection at all to the Delegate raising that. And in fact, if the Delegate wants to engage in a lengthy discussion, a discussion about the reasons why the subcommittee and then later the committee itself objected, I have no objection to that, either.

PRESIDENT CASSELL: No. All I am saying is that the subcommittee or that the committee deliberations really should not impinge upon his presenting his viewpoint to the --

DELEGATE MARCUS: I agree with you.

PRESIDENT CASSELL: Yes.

Delegate Cooper. [Rapping gavel for order.]

SECRETARY COOPER: I would just like to speak to the amendment being proposed by Delegate Rothschild and commend him on a tremendous effort. I think with the explanation that Delegate Rothschild just gave that it shows that a lot of thought went into this preamble.

I really have a lot of respect for the chronology that it has developed here, the fact that it does follow the heritage. It is an evolving preamble and it leaves to us a prospect for posterity.

I think that if we were to dismiss Delegate Rothschild's proposal without full and serious debate, I think that we would be remiss as Delegates because Delegate Rothschild obviously put a lot of thought into it and I think that he should be highly commended for his efforts.

VOICE: Are you for it?

DELEGATE ROBINSON: How do you stand, sir?

VOICE: Are you for it?

PRESIDENT CASSELL: Yes, what is your position?

VOICE: Are you speaking for or against it?

SECRETARY COOPER: I am speaking for this amendment.

VOICE: All right.

PRESIDENT CASSELL: Delegate Baldwin.

DELEGATE BALDWIN: Mr. President, I want to speak against the amendment in the form of a procedure statement.

I think we are in for a very long week if we are going to allow substitute motions and minority reports to come in as an amendment. It is against our rules and the Chair should not accept it.

DELEGATE CORN: Point of order. Point of order. Point of order, Mr. President.

PRESIDENT CASSELL: Point of order.

DELEGATE CORN: Mr. President, point of order. Under our rules, a Delegate -- any Delegate on first reading may make an amendment -- in writing, orally, any way he or she chooses.

PRESIDENT CASSELL: That is not a point of order.

The Chairperson has not ruled on anything that has been said, so you are not speaking to anything which is germane.

Delegate Moore has the floor. Did you have a point of order?

DELEGATE SAM MOORE: I wish to speak to the motion.

PRESIDENT CASSELL: Yes. Okay. Delegate Moore. Then you, Bryan Moore.

DELEGATE BRYAN MOORE: I would like to amend

Delegate Rothschild's preamble in one area and that is to remove the word "universal" and submit at the end of the sentence so it should say, "In harmony with that aspect of the democratic heritage enunciated in the Constitution of the United States of America, " and here is where I add a phrase, "and extending ourselves to all peoples of the world --" and then it follows and that would be the extent of my amendment.

PRESIDENT CASSELL: Let me point out that it is rather difficult for Delegates to hear a statement when they can't read it, you know. What they really have to do is to write it down and then look at it.

It is one of the difficulties, also, in not getting all of these things in writing so that we can see and make that comparison there. Do you want to restate that amendment to the motion on the floor?

DELEGATE BRYAN MOORE: Yes. [Restates motion.]

PRESIDENT CASSELL: Is there a second to that amendment to the amendment?

[The motion is made. There is no second.]

PRESIDENT CASSELL: I am afraid that dies for lack of a second.

DELEGATE BRYAN MOORE: Thank you.

PRESIDENT CASSELL: Okay. Delegate Moore.

DELEGATE SAM MOORE: Thank you very much, Mr. President. I rise for the purpose, Delegates, of speaking in opposition to the substitute motion.

I have here several drafts of preambles that were submitted by various members of the committee, none of which came out of committee, including the one presented by Delegate Rothschild.

Recognizing the right of every Delegate to present to this distinguished body what material it feels to be relevant and appropriate for its consideration, I would be among the first if not the first to uphold the right and privilege of the Delegate to do so.

However, we stand at the juncture of a two-forked road. One road that determines the destiny of this Convention, the other road that determines the side issues and I believe that the committee, in its deliberations, has fully expounded for the Delegates of this Convention a road that leads us to statehood. That was the purpose for which we were dedicated.

We have brought you an amalgamation of ideas sifted from the best of the ideas that were within our grasp including these draft preambles that were submitted by the various members of the committee.

We have attempted, to the best of our ability to

synthesize all of the propositions that came before us and present to you the best of those ideas in the draft that we have presented to this convention.

Therefore, as the Chairperson of this committee, I am imploring you to vote against the substitute motion that would substitute the work of the committee for that of an individual whose work has already been considered by the committee and the best of his ideas have been drafted out and placed within the context of the preamble that is now before you.

PRESIDENT CASSELL: Delegate Jordan.

DELEGATE JORDAN: Mr. President, first of all, I rise to speak against the motion and I speak against it for several reasons.

I heard this evening about being a stickler for rules. That is to say that a Delegate has a right to offer an amendment and we must protect that right, our rules do.

And at the same time we had a Delegate offer a motion to cut off debate, to stop the debate and there was some concern expressed there about well, we are not being fair.

I think that in considering the preamble in spite of all the work that must have gone into it, in spite of how thoughtful it is and how well-meaning it is, the fact is that I think that the process has been circumscribed in this instance.

I think it is unfair for me to give a historical analysis of how this substitute preamble found its way to the committee but suffice it to say, each of us gave it considerable thought and attention.

Each of us sought to accommodate the concern and consideration of the Delegate. And there was an effort of ujama or working together in a spirit of one-manship that was expressed on that committee and somehow the Delegate felt that he should not be a part of the process and saved it to this point to bring it before the Convention.

I would only say, Mr. Chairman, that in the future when a Delegate rises to call the question, regardless of how generous we want to be, regardless of whether it seems that it is fairness or not fairness, that we stick to the rules.

I am saying that because I can see some problems in the future with respect to other committee reports and other considerations that would be made.

I do not think, in all fairness -- because the Delegate has criticized the committee's work -- the Delegate has stated his objections -- both before the committee and in the press. And I think many of us are well-aware --

SEVERAL VOICES: Point of order.

PRESIDENT CASSELL: These comments are out of

order. They are not to the motion.

DELEGATE JORDAN: Mr. Chairman, I am speaking against the motion.

PRESIDENT CASSELL: You are speaking against the motion but you are not really talking about the motion and I think you are doing a little philosophizing there.

DELEGATE JORDAN: Well, Mr. Chairman, I am doing no more than anybody else has and you know, like, you are going to be generous to me like you were to the Delegates?

PRESIDENT CASSELL: I am afraid not.

DELEGATE JORDAN: I mean, if you really want to do it this evening -- and I am all for it -- stop Ab Jordan now. Tell Ab Jordan to stick to the rules and I will do it because everybody else should do it from this point on because I think --

PRESIDENT CASSELL: The Chair has already requested that you stick to the rules and --

DELEGATE JORDAN: Yes, sir.

PRESIDENT CASSELL: -- and the Chair remains reprimanded and if you call to my attention again that somebody else is doing it I will rule them out of order.

DELEGATE JORDAN: Yes, sir. All I am suggesting, Mr. Chairman, is that our committee considered this -- this

this proposal and it was not supported by the committee and I think that the Delegates here ought to compare what is proposed with what the committee has done and I think that if you will do that, you will support the work of the committee.

Thank you very much.

PRESIDENT CASSELL: Delegate Blount and Delegate Kameny.

DELEGATE BLOUNT: Mr. Chairman, I rise to call the previous question.

MANY VOICES: Second.

[The question is called and seconded.]

PRESIDENT CASSELL: The question has been called.

SPEAKER: Personal privilege. Personal privilege.

SEVERAL VOICES: No. No.

PRESIDENT CASSELL: No, not in the middle of a motion.

SPEAKER: [Argument overridden by side comments.]

PRESIDENT CASSELL: No, not in the middle of a motion. Now, the rules have to be followed.

SPEAKER: [Continued argument, continued overridden.]

PRESIDENT CASSELL: No, they do not say that he can interrupt a properly-put motion. The question has been --

SEVERAL SPEAKERS SIMULTANEOUSLY: [Untranscribable.]

PRESIDENT CASSELL: It has been moved and seconded that we close debate.

Is that true?

MANY VOICES: Yes.

PRESIDENT CASSELL: Those in favor, signify by saying aye.

[There is a resounding chorus of ayes.]

PRESIDENT CASSELL: Those opposed, no.

[There is a small chorus of noes.]

PRESIDENT CASSELL: Those abstaining.

[No abstention. The motion passes.]

PRESIDENT CASSELL: The motion passes. We are now ready for the vote on the substitute motion by Delegate Rothschild, who has spoken for his motion.

Those in favor of the motion to amend the rules as indicated by Delegate Rothschild signify --

[A cry goes up for roll call vote plus others make inquiry as to the vote.]

PRESIDENT CASSELL: Let me restate that now. What is on the Floor is an amendment by Delegate Rothschild to the Committee Report and there have been a series of amendments that have failed. Okay.

Now, the amendment is on the Floor. The roll call

has been called [and more than four Delegates are in favor of same.] All right, if you are in favor of the amendment, signify by saying yes upon the roll call. If --

VOICE: The Delegates have not been upon the Floor of the Convention, yet they have been counted as having been a part of the roll call determination.

[Delegates were in doorway just outside the hall.]

VOICE: That was not necessary.

[Laughter.] [Side comments.]

PRESIDENT CASSELL: All right, now, if you are in favor of the amendment, signify by saying yes. If you are opposed to it, signify by saying no.

Mr. Secretary. There will be a roll call vote.

SECRETARY COOPER: Delegate Clarke.

Delegate Coates.

DELEGATE COATES: No.

SECRETARY COOPER: Delegate Cooper. No.

Delegate Corn.

DELEGATE CORN: Yes.

SECRETARY COOPER: Delegate Croft.

DELEGATE CROFT: No.

SECRETARY COOPER: Delegate Eichhorn.

Delegate Feely.

DELEGATE FEELY: No.

SECRETARY COOPER: Delegate Freeman.

DELEGATE FREEMAN: No.

SECRETARY COOPER: Delegate Garner.

DELEGATE GARNER: Yes.

SECRETARY COOPER: Delegate Graham.

Delegate Harris.

DELEGATE HARRIS: No.

SECRETARY COOPER: Delegate Holmes.

DELEGATE HOLMES: No.

SECRETARY COOPER: Delegate Jackson.

DELEGATE JACKSON: No.

SECRETARY COOPER: Delegate Johnson.

DELEGATE JOHNSON: No.

SECRETARY COOPER: Delegate Jones.

DELEGATE JONES: No.

SECRETARY COOPER: Delegate Jordan.

DELEGATE JORDAN: No.

SECRETARY COOPER: Delegate Kameny.

DELEGATE KAMENY: No.

SECRETARY COOPER: Delegate Lockridge.

DELEGATE LOCKRIDGE: No.

SECRETARY COOPER: Delegate Long.

Delegate Love.

Delegate Maguire.

DELEGATE MAGUIRE: No.

SECRETARY COOPER: Delegate Marcus.

DELEGATE MARCUS: No.

SECRETARY COOPER: Delegate Charles Mason.

DELEGATE CHARLES MASON: No.

SECRETARY COOPER: Delegate Hilda Mason.

DELEGATE HILDA MASON: No.

SECRETARY COOPER: Delegate Bryan Moore.

DELEGATE BRYAN MOORE: Yes.

SECRETARY COOPER: Delegate Jerry Moore.

DELEGATE JERRY MOORE: No.

SECRETARY COOPER: Delegate Talmadge Moore.

DELEGATE TALMADGE MOORE: No.

SECRETARY COOPER: Delegate Nahikian.

DELEGATE NAHIKIAN: No.

SECRETARY COOPER: Delegate Nixon.

DELEGATE NIXON: No.

SECRETARY COOPER: Delegate Oulahan.

DELEGATE OULAHAN: Yes.

SECRETARY COOPER: Delegate Paramore.

DELEGATE PARAMORE: Abstain.

SECRETARY COOPER: Delegate Robinson.

DELEGATE ROBINSON: No.

SECRETARY COOPER: Delegate Rothschild.

DELEGATE ROTHSCCHILD: Yes.

SECRETARY COOPER: Delegate Schrag.

DELEGATE SCHRAG: No.

SECRETARY COOPER: Delegate Shelton.

DELEGATE SHELTON: No.

SECRETARY COOPER: Delegate Simmons.

DELEGATE SIMMONS: No.

SECRETARY COOPER: Delegate Freeman.

DELEGATE FREEMAN: No.

SECRETARY COOPER: Delegate Terrell.

DELEGATE TERRELL: No.

SECRETARY COOPER: Delegate Thomas.

Delegate Warren.

Delegate Baldwin.

DELEGATE BALDWIN: No.

SECRETARY COOPER: Delegate Barnes.

Delegate Blount.

DELEGATE BLOUNT: No.

SECRETARY COOPER: Delegate Bruning.

DELEGATE BRUNING: No.

SECRETARY COOPER: Delegate Cassell.

PRESIDENT CASSELL: No.

SECRETARY COOPER: Mr. President, the count shows five in favor, 32 not in favor.

PRESIDENT CASSELL: Okay. The motion fails.

Delegate Kameny. Delegate Blount.

DELEGATE KAMENY: Mr. President, I move the previous question.

MANY VOICES: Second.

[The motion is made and seconded.]

PRESIDENT CASSELL: Those in favor of cutting off debate signify by saying --

DELEGATE ROTHSCHILD: Mr. President, point of personal privilege.

PRESIDENT CASSELL: Hold on. First of all, let me tell you, you can't speak and I am going to tell you why.

The rules indicate that a point of personal privilege can interrupt a Delegate on the Floor but you cannot interrupt a motion. There are some scholars over there, right.

DELEGATE ROTHSCHILD: I stood up --

PRESIDENT CASSELL: But there is a motion on the Floor.

DELEGATE ROTHSCHILD: When can I speak to the

personal privilege?

PRESIDENT CASSELL: On a point of personal privilege?

DELEGATE ROTHSCHILD: Yes.

PRESIDENT CASSELL: You can speak when there is no motion on the Floor.

DELEGATE ROTHSCHILD: Well, I said "personal privilege." I don't have to be recognized for that.

PRESIDENT CASSELL: There was a motion on the Floor.

DELEGATE ROTHSCHILD: But I said "personal privilege."

PRESIDENT CASSELL: Somebody show this man the Rules. I am telling you that it does not apply when there is a motion on the Floor.

DELEGATE ROTHSCHILD: Well, I had a right to speak before. Just tell me when I have a right to speak and I will wait.

[Much side conversation now and throughout this interchange.]

PRESIDENT CASSELL: Delegate Kameny, again.

DELEGATE KAMENY: I move the previous question.

MANY VOICES: Second.

[The previous question again moved and seconded.]

PRESIDENT CASSELL: Those in favor of cutting off debate, signify by saying aye.

[There is a chorus of ayes.]

PRESIDENT CASSELL: Opposed.

[There is a chorus of nays.]

PRESIDENT CASSELL: All right, abstain.

[There is no abstention.]

[Delegate Corn calls for a show of hands.]

PRESIDENT CASSELL: All right, a show of hands.

Those in favor of cutting off debate signify by showing hands.

[There is a show of hands.]

PRESIDENT CASSELL: Please step inside the door now so that the count is official. Please keep them up.

Twenty-nine.

Okay, those opposed?

[There is a show of hands.]

PRESIDENT CASSELL: Four. Okay. The motion carries.

The original motion is on the Floor and that is the motion by the committee offered by --

[A roll call is requested, supported by more than four Delegates.]

PRESIDENT CASSELL: All right, a roll call vote.

Those in favor of adopting the Committee Report,
please say yes.

Those opposed, say no.

[Considerable side conversations edited out.]

Mr. Secretary.

SECRETARY COOPER: Delegate Coates.

DELEGATE COATES: Yes.

SECRETARY COOPER: Delegate Cooper. Yes.

Delegate Corn.

DELEGATE CORN: No.

SECRETARY COOPER: Delegate Croft.

DELEGATE CROFT: Yes.

SECRETARY COOPER: Delegate Eichhorn.

Delegate Feely.

DELEGATE FEELY: Yes.

SECRETARY COOPER: Delegate Freeman.

DELEGATE FREEMAN: Yes.

SECRETARY COOPER: Delegate Garner.

DELEGATE GARNER: No.

SECRETARY COOPER: Delegate Graham.

Delegate Harris.

DELEGATE HARRIS: No. I mean yes.

SECRETARY COOPER: Delegate Harris.

DELEGATE HARRIS: I vote yes.

SECRETARY COOPER: Delegate Holmes.

DELEGATE HOLMES: Yes.

SECRETARY COOPER: Delegate Jackson.

DELEGATE JACKSON: Yes.

SECRETARY COOPER: Delegate Johnson.

Delegate Johnson.

Delegate Jones.

DELEGATE JONES: Yes.

SECRETARY COOPER: Delegate Jordan.

DELEGATE JORDAN: Yes.

SECRETARY COOPER: Delegate Kameny.

DELEGATE KAMENY: Yes.

SECRETARY COOPER: Delegate Lockridge.

DELEGATE LOCKRIDGE: Yes.

SECRETARY COOPER: Delegate Long.

Delegate Love.

DELEGATE LOVE: Yes.

SECRETARY COOPER: Delegate Maguire.

DELEGATE MAGUIRE: Yes.

SECRETARY COOPER: Delegate Marcus.

DELEGATE MARCUS: Yes.

SECRETARY COOPER: Delegate Charles Mason.

DELEGATE CHARLES MASON: Yes.

SECRETARY COOPER: Delegate Hilda Mason.

DELEGATE HILDA MASON: Yes.

SECRETARY COOPER: Delegate Bryan Moore.

DELEGATE BRYAN MOORE: No.

SECRETARY COOPER: Delegate Jerry Moore.

DELEGATE JERRY MOORE: Yes.

SECRETARY COOPER: Delegate Talmadge Moore.

DELEGATE TALMADGE MOORE: Yes.

SECRETARY COOPER: Delegate Nahikian.

DELEGATE NAHIKIAN: Yes.

SECRETARY COOPER: Delegate Nixon.

DELEGATE NIXON: No.

SECRETARY COOPER: Delegate Oulahan.

DELEGATE OULAHAN: No.

SECRETARY COOPER: Delegate Paramore.

DELEGATE PARAMORE: Yes.

SECRETARY COOPER: Delegate Robinson.

DELEGATE ROBINSON: Yes.

SECRETARY COOPER: Delegate Rothschild.

DELEGATE ROTHSCHILD: No.

SECRETARY COOPER: Delegate Schrag.

DELEGATE SCHRAG: Yes.

SECRETARY COOPER: Delegate Shelton.

DELEGATE SHELTON: Yes.

SECRETARY COOPER: Delegate Simmons.

DELEGATE SIMMONS: Yes.

SECRETARY COOPER: Delegate Street.

DELEGATE STREET: Yes.

SECRETARY COOPER: Delegate Terrell.

Delegate Terrell.

DELEGATE TERRELL: Yes.

SECRETARY COOPER: Delegate Thomas.

DELEGATE THOMAS: No.

SECRETARY COOPER: Delegate Warren.

DELEGATE WARREN: Yes, yes.

SECRETARY COOPER: Delegate Baldwin.

DELEGATE BALDWIN: Yes.

SECRETARY COOPER: Delegate [Inaudible owing to
very loud background of noise.]

Delegate Blount.

DELEGATE BLOUNT: Yes.

SECRETARY COOPER: Delegate [Inaudible.]

DELEGATE : Yes.

SECRETARY COOPER: Delegate [Inaudible.]

Delegate Cassell.

PRESIDENT CASSELL: Yes.

SECRETARY COOPER: Mr. President, the Preamble to this Constitution has been adopted with 32 in favor, seven not in favor, no abstentions.

[Very loud applause.]

DELEGATE ROTHCHILD: Point of personal privilege.
Point of personal privilege.

PRESIDENT CASSELL: Yes, point of personal privilege. All right.

DELEGATE ROTHCHILD: First, I would like to say that I probably should have had my point of personal privilege earlier.

[Much side discussion. President rapping for order.]

Nevertheless, I would like to say what I was going to say. The reason I offered that preamble separate from my committee was that without, like, attacking people, which is not a good idea, there was not a sufficient atmosphere in our committee work to really bring in new ideas and to open up dialogue.

I would like to say that that atmosphere has improved and that it is getting better but nevertheless, like the Convention itself, the committee and all of us must really work towards openness and democracy and accepting ideas and

examining them and not just towards conformity and expediency.

PRESIDENT CASSELL: I think that is a good point that you made, Delegate Rothchild.

DELEGATE SAM MOORE: Mr. Chair.

PRESIDENT CASSELL: Yes.

DELEGATE SAM MOORE: I thank you very much for the opportunity, Mr. President and Delegates, and I would like to indicate in response to Mr. Rothschild's remarks that the committee was completely free and open for any person who had an idea or a statement or a written position to make.

Every committee member was given ample opportunity to speak freely and no member of that committee was ever hampered in any way.

Mr. Rothschild himself testified to that fact and I want to stand in defense of my chairmanship and of the committee.

PRESIDENT CASSELL: All right, there are two people waiting to be recognized but before we lose everybody, let me just make an announcement. Tomorrow the committee that will read its rules tomorrow is the Judicial Committee which has met the requirements and following that, if there are no hitches, will be the Executive Committee on Wednesday if, indeed, we finish on Tuesday.

I urge everybody to try to get here tomorrow as close to 6:00 o'clock as possible. I recognize it is difficult.

Harris. Simmons. Bruning.

I'm sorry. Robinson.

DELEGATE ROBINSON: Mr. President, I move that this meeting be adjourned until tomorrow at 6:00 p.m.

PRESIDENT CASSELL: I won't accept that.

Delegate Simmons.

DELEGATE SIMMONS: [Inaudible owing to side conversations. President raps gavel for order.]

PRESIDENT CASSELL: We have only got a couple of minutes now. Let's hear Delegate Simmons.

DELEGATE SIMMONS: People have not been to their boxes and I wish that they would be sure and do that and see what they have got there and do it tonight and any people who plan to give us material in writing, we need that [inaudible.]

PRESIDENT CASSELL: What Delegate Simmons is saying is that many of you people have boxes that you have not gotten your reports so please look in your mail boxes.

Thank you very much.

DELEGATE CORN: [Inaudible.]

[Announcement for S and D. Members.]

[Whereupon, the Delegates leave and the Convention

is adjourned at 10:27 o'clock
p.m. to reconvene the following
evening at 6:00 p.m.]